

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3

4 MICHAEL IZELL SEALS,) No. C 04-1569 SBA (PR)
5 Plaintiff,)
6 v.) **ORDER DENYING MOTION**
7 OFFICER JOHN RUSSELL, et al.,) **FOR LEAVE TO PROCEED IN**
8 Defendants.) **FORMA PAUPERIS ON**
9) **APPEAL**
-----) (Docket no. 37)

10 This is a civil rights case filed under 42 U.S.C. § 1983 filed pro se by a state prisoner. On
11 September 6, 2006, Plaintiff filed a Notice of Appeal. In a mandate filed on November 17, 2006, the
12 United States Court of Appeal for the Ninth Circuit dismissed Plaintiff's appeal for lack of
13 jurisdiction.

14 Plaintiff's motion for leave to proceed in forma pauperis on appeal (docket no. 37) is
15 DENIED as moot.

16 IT IS SO ORDERED.
17 DATED: 6/13/07
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19 SAUNDRA BROWN ARMSTRONG
20 United States District Judge
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SEALS,

Case Number: CV04-01569 SBA

Plaintiff,

CERTIFICATE OF SERVICE

V.

RUSSELL et al.

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 14, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Michael Izell Seals V77488
California State Prison - San Quentin
San Quentin, CA 94974

Dated: June 14, 2007

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk